

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:**FREE SPEECH SYSTEMS, LLC,****DEBTOR.**

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Case No. 22--60043**Chapter 11 (Subchapter V)**

WITNESS AND EXHIBIT LIST

Judge:	Hon. Christopher M. Lopez
Hearing Date:	Tuesday, September 20, 2022
Hearing Time:	1:00 p.m. (Central Standard Time)
Party's Name:	Free Speech Systems, LLC
Attorney's Name:	Ray Battaglia; Kyung S. Lee; RJ Shannon
Attorney's Phone:	(713) 714-5770
Nature of Proceeding:	<p>Hearing on:</p> <ul style="list-style-type: none"> Application of Debtor for an Order (A) Authorizing Employment of Shannon & Lee LLP as Bankruptcy Co-Counsel for the Debtor, and (B) Granting Related [ECF No. 85] (the "<u>S&L Application</u>") Application of Debtor for an Order (A) Authorizing Employment of W. Marc Schwartz as Chief Restructuring Officer, (B) Authorizing Employment of Staff of Schwartz Associates, LLC In Discharge of Duties as Chief Restructuring Officer, and (C) Granting Related [ECF No. 83] (the "<u>CRO Application</u>")

Free Speech Systems, LLC, the debtor and debtor in possession in the above captioned chapter 11 case (the "Debtor"), hereby submits this witness and exhibit list in connection with the hearing to be held on Tuesday, September 20, 2022, at 1:00 p.m. (Central Standard Time) (the "Hearing") on the S&L Application and the CRO Application.

WITNESSES

The Debtor may call any of the following witnesses at the Hearing, whether in person or by proffer:

1. W. Marc Schwartz, Chief Restructuring Officer of Free Speech Systems, LLC;
2. Kyung S. Lee, Partner, Shannon & Lee LLP;
3. Jayson B. Ruff, Attorney, Office of the U.S. Trustee;
4. Any witness called or designated by any other parties;
5. Any witnesses necessary to rebut the testimony of any witnesses called or designated by any other parties.

EXHIBITS

The Debtor may offer for admission into evidence any of the following exhibits, and any exhibit designated by any other party, at the Hearing:

Ex.	Description	Offered	Objection	Admitted /Not Admitted	Disposition
1	Application of Debtor for an Order (A) Authorizing Employment of Shannon & Lee LLP as Bankruptcy Co-Counsel for the Debtor, and (B) Granting Related Relief [ECF No. 85]				
2	Proposed Order Approving Debtor's Application to Employ Shannon & Lee LLP as Bankruptcy Co-Counsel [ECF No. 85-1]				
3	Engagement Agreement Executed June 6, 2022, between Shannon & Lee LLP and Free Speech Systems, LLC [ECF No. 85-2]				
4	Declaration of Kyung S. Lee in Support of the Debtor's Application to Employ Shannon & Lee LLP as Bankruptcy Co-Counsel [ECF No. 85-3]				

Ex.	Description	Offered	Objection	Admitted /Not Admitted	Disposition
5	Shannon & Lee LLP Connections Search Results dated August 16, 2022				
6	Shannon & Lee Supplemental Connections Search Results dated September 16, 2022				
7	Shannon & Lee LLP Invoice and Time Records re Representation of Free Speech Systems, LLC from June 1, 2022.				
8	Shannon & Lee LLP Invoice and Time Records re Representation of Free Speech Systems, LLC from July 1, 2022, to July 29, 2022				
9	Kyung S. Lee PLLC Invoice and Time Records re				
10	Voluntary Petition [Dkt. No. 1; Case No. 22-60020]				
11	Order for Joint Administration [Dkt. No. 8; Case No. 22-60020]				
12	Debtors' Emergency Motion for Order Authorizing Appointment of Russel F. Nelms and Richard S. Schmidt as Trustees of the 2022 Litigation Settlement Trust and Granting Related Relief [Dkt No. 6; Case No. 22-60020]				
13	Debtors' Emergency Application for Interim and Final Orders (A) Authorizing Employment of W. Marc Schwartz as Chief Restructuring Officer, (B) Authorizing Employment of Staff of Schwartz Associates, LLC in Discharge of Duties and Chief Restructuring Officer, and (C) Granting Related Relief [Dkt. No. 7; Case No. 22-60020]				

Ex.	Description	Offered	Objection	Admitted /Not Admitted	Disposition
14	Notice of Amended and Restated Declaration of Trust and Plan Support Agreement [Dkt. No. 48; Case No. 22-60020]				
15	Agenda of Matters that May Be Discussed at the April 29, 2022 Status Conference [Dkt No. 49; Case No. 22-60020]				
16	Expedited Request for Status Conference [Dkt. No. 85; Case No. 22-60020]				
17	The Texas Plaintiffs' Joinder in the Expedited Request for Status Conference [Dkt. No. 86; Case No. 22-60020]				
18	May 17, 2022, Email from Jayson Ruff to Kyung Lee				
19	Debtors' Application to Employ Kyung S. Lee PLLC as Bankruptcy Counsel Effective as of May 16, 2022 [Dkt No. 97; Case No. 22-60020]				
20	Notice of Filing of Unopposed Motion to Dismiss Plaintiffs' Claims against Removing Defendants Infowars LLC (aka InfoW, LLC), Infowars Health, LLC (aka IWHealth, LLC), and Prison Planet TV, LLC with Prejudice and June 24, 2022 [SIC] Status Conference in the United States Bankruptcy Court for the District of Connecticut, Bridgeport Division [Dkt. No. 98; Case No. 22-60020]				
21	Signed Stipulation and Order [Dkt. No. 99; Case No. 22-60020]				
22	Transcript of May 19, 2022, Hearing in Case No. 22-60020				

Ex.	Description	Offered	Objection	Admitted /Not Admitted	Disposition
23	May 19, 2022, Email from Kyung Lee to Marc Schwartz re Meeting re FSS on May 24, 2022				
24	May 21, 2022, Email from Kyung Lee to Marc Schwartz, Harold Lee, and Christian Schwartz re Dismissal of Case No. 22-60020				
25	May 23, 2022, Email from Kyung Lee to Marc Schwartz, Christian Schwarz, and Harold Lee re Draft Motion to Dismiss Case No. 22-60020				
26	May 25 to June 1, 2022, Emails among Kyung Lee and Jayson Ruff re Stipulation Dismissing Case No. 22-60020				
27	Stipulation and Agreed Order Dismissing Debtors' Chapter 11 Cases [Dkt. No. 10; Case No. 22-60020]				
28	Application of Debtor for an Order (A) Authorizing Employment of W. Marc Schwartz as Chief Restructuring Officer, (B) Authorizing Employment of Staff of Schwartz Associates, LLC in Discharge of Duties as Chief Restructuring Officer, and (C) Granting Related Relief [ECF No. 83]				
29	Proposed Order (A) Authorizing Employment of W. Marc Schwartz as Chief Restructuring Officer, (B) Authorizing Employment of Staff of Schwartz Associates, LLC in Discharge of Duties and Chief Restructuring Officer, and (C) Granting Related Relief [ECF No. 83-1]				
30	Engagement Agreement Executed June 6, 2022, between Schwartz Associates LLC and Marc Schwartz and Free Speech Systems, LLC [ECF No. 83-2]				

Ex.	Description	Offered	Objection	Admitted /Not Admitted	Disposition
31	Declaration of W. Marc Schwartz [ECF No. 83-3]				
32	Company Agreement of Free Speech Systems, LLC [ECF No. 83-4]				
33	Marc Schwarz Time Records for Free Speech Systems, LLC from May 1, 2022, to May 31, 2022				
34	Marc Schwarz Time Records for INfoW, LLC from May 1, 2022, to May 31, 2022				

The Debtor reserves the right to supplement, amend or delete any witness and exhibits prior to the hearing. The Debtor also reserves the right to use any exhibits presented by any other party and to ask the Court to take judicial notice of any document. The Debtor finally reserves the right to introduce exhibits previously admitted.

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Dated: September 16, 2022

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